

Message Text

CONFIDENTIAL

PAGE 01 BONN 20378 01 OF 02 171129Z

12

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00

USIE-00 INRE-00 PM-04 H-02 INR-07 L-03 NSC-05 PA-01

PRS-01 SP-02 SS-15 ACDA-05 IO-10 SAJ-01 EB-07 DOTE-00

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O R 171116Z DEC 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 5156

INFO AMEMBASSY PARIS IMMEDIATE

USMISSION USBERLIN IMMEDIATE

AMEMBASSY BERLIN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 20378

E.O. 11652: GDS

TAGS: PFOR, GW, GE, WB, US, UK, FR

SUBJECT: INNER-GERMAN TRANSIT NEGOTIATIONS

REF: BONN 20373

THE FOLLOWING IS A MORE EXTENSIVE REPORT THAN THAT
CONTAINED IN REFTEL OF THE MEETING LAST NIGHT BETWEEN
STATE SECRETARY GEHLHOFF OF THE FOREIGN MINISTRY, AND
THE BRITISH, FRENCH AND AMERICAN AMBASSADORS:

1. AT GEHLHOFF'S URGENT REQUEST, THE THREE ALLIED
AMBASSADORS CAME TO HIS OFFICE AT THE FOREIGN MINISTRY
LAST NIGHT. SANNE AND LUECKING WERE ALSO PRESENT ON
THE GERMAN SIDE. GEHLHOFF BEGAN BY SAYING THAT THE
CHANCELLOR, FOREIGN MINISTER GENSCHER, AND LEADING MEM-
BERS OF THE CABINET AND THE COALITION HAD JUST CONCLUDED
A MEETING AT WHICH THEY HAD DISCUSSED INNER-GERMAN
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CONFIDENTIAL

PAGE 02 BONN 20378 01 OF 02 171129Z

TRANSIT NEGOTIATIONS. THE CHANCELLOR NOW DESIRED TO

MOVE AHEAD RAPIDLY, OBTAINING CABINET APPROVAL AT A CABINET MEETING THE NEXT MORNING WITH A VIEW TO REACHING FINAL AGREEMENT WITH THE GDR ON THURSDAY ON THE VARIOUS DOCUMENTS AND DECLARATIONS TO BE EXCHANGED BETWEEN THE FRG AND THE GDR. THE CHANCELLOR HAD INSTRUCTED GEHLHOFF TO REQUEST THE THREE AMBASSADORS URGENTLY TO OBTAIN APPROVAL FOR THIS COURSE OF ACTION. AS WE WERE AWARE, THE FINAL PROPOSED TEXT HAD ONLY BEEN DISTRIBUTED IN THE BONN GROUP DURING THE AFTERNOON, BUT DETAILS CONCERNING THE COURSE OF THE NEGOTIATIONS AND EARLIER TEXTS HAD, OF COURSE, BEEN DISCUSSED DURING RECENT WEEKS WITHIN THE BONN GROUP. WHAT WAS REQUESTED SPECIFICALLY WAS APPROVAL BY CAPITALS NO LATER THAN 1100 HOURS DECEMBER 17 WHEN THE FRG CABINET WOULD CONSIDER THE SUBJECT.

2. AMBASSADOR HILLENBRAND NOTED THAT A HASTY READING OF THE VARIOUS TEXTS RAISED CERTAIN QUESTIONS. THERE WAS FIRST THE ISSUE OF OWNERSHIP OF REICHSBAHN PROPERTY IN WEST BERLIN, AND THE NEED TO PROTECT THE ALLIED POSITION IN THIS MATTER AGAINST ANY GDR CLAIMS TO ABSOLUTE SOVEREIGNTY OVER STATIONS LOCATED IN WEST BERLIN. THE SECOND QUESTION WAS COMPATIBILITY OF THE VARIOUS DIRECT DEALINGS ENVISAGED IN THESE TEXTS BETWEEN THE GDR AND WEST BERLIN AUTHORITIES WHICH MIGHT SEEM TO IMPLY ACCEPTANCE OF THE GDR-SOVIET DEFINITION OF THE STATUS OF WEST BERLIN AS AN INDEPENDENT POLITICAL ENTITY. THIS RAN COUNTER TO THE DEFINITION OF THE CITY'S STATUS PREFERRED BY THE FEDERAL REPUBLIC. THE PROBLEM, HOWEVER, WAS ONE WHICH SHOULD CONCERN THE FRG MORE THAN THE ALLIES SINCE OUR POSITION WAS CLEARLY STATED IN THE QUADRIPARTITE AGREEMENT AND WAS MAINTAINED SO LONG AS THERE WAS NO CHALLENGE TO THE SOVEREIGNTY OF THE ALLIES IN WEST BERLIN AS MILITARY GOVERNORS.

3. FRENCH AMBASSADOR WORMSER SAID HE CONCURRED IN THESE OBSERVATIONS, AND NOTED THAT THE PRACTICAL EFFECT, AS FAR AS THE THREE RAILWAY STATIONS TO BE REBUILT IN WEST BERLIN WERE CONCERNED, WAS THAT THE GDR WAS TO SAY UNILATERALLY THAT THEY ARE TO BE REBUILT. SANNE RES-
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BONN 20378 01 OF 02 171129Z

PONDED THAT RELEVANT ASPECTS OF THIS QUESTION HAD BEEN DISCUSSED IN THE BONN GROUP ON NOVEMBER 22, AND THAT THERE WERE ONLY A FEW ADDITIONS TO THE TEXTS WHICH HAD PREVIOUSLY BEEN MADE AVAILABLE (COMMENT: THIS IS NOT ENTIRELY CORRECT).

4. BOTH AMBASSADORS WORMSER AND HILLENBRAND MADE THE POINT THAT EXISTING WEST BERLIN PROCEDURES DERIVING

FROM OUR BASIC LEGAL POSITIONS WOULD, OF COURSE, HAVE
TO BE OBSERVED INsofar AS THE COMING INTO EFFECT IN
WEST BERLIN OF THESE AGREEMENTS WAS CONCERNED. THERE
COULD BE NO AUTOMATICITY IN THE TRANSFER OF CAUSE AND
EFFECT FROM THE GDR TO WEST BERLIN WITHOUT APPROPRIATE
INTERVENING ALLIED ACTION. SANNE SAID THE FRG WAS
AWARE OF THE DANGERS AND DID NOT WANT THE GROWTH OF

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PAGE 01 BONN 20378 02 OF 02 171124Z

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 20378

DIRECT RELATIONS BETWEEN THE SENAT AND THE GDR. HOW-
EVER, IN THE PAST SUCH RELATIONS HAD BEEN ACCEPTED IN
SPECIFIC CASES AND HAD PROVED FRUITFUL. IN THESE NEGO-
TIATIONS THE GDR HAD GIVEN WEIGHT TO FRG POSITIONS.
ALL OF THE TEXTS OF THE PROPOSED GDR STATEMENTS HAD
BEEN DISCUSSED AND AGREED WITH THE FRG IN ADVANCE. THE
CHANCELLOR HAD, IN THE LAST FEW DAYS, SENT TWO PERSONAL

MESSAGES TO HONECKER SAYING THAT IF THE GDR WERE NOT WILLING TO MAKE AN EFFORT TO COME OVER TO THE FRG POSITION ON APPROPRIATE LINKAGE TO THE BASIC TRANSIT AGREEMENT, THE WHOLE PACKAGE WOULD BE JEOPARDIZED IN VIEW OF THE REQUIREMENT OF THE THREE ALLIES THAT SUCH A REFERENCE BE MADE. THE GDR HAD NOW ACCEPTED THE NECESSITY FOR SUCH A REFERENCE WHICH WOULD BE MADE IN AN ORAL DECLARATION.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BONN 20378 02 OF 02 171124Z

5. AFTER DISCUSSION OF THE TIMING PROBLEMS WHICH THEIR GOVERNMENTS MIGHT HAVE, THE THREE AMBASSADORS AGREED THAT THEY WOULD DO THEIR BEST TO OBTAIN THE REQUESTED CONCURRENCES. BOTH THE FRENCH AND AMERICAN AMBASSADORS STRESSED THAT SUCH CONCURRENCES WOULD HAVE TO BE SUBJECT TO THE PROVISIO THAT NOTHING IN THE AGREEMENTS COULD AFFECT THE BASIC ALLIED LEGAL POSITIONS IN WEST BERLIN.
HILLENBRAND

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